

KANE LAW FIRM
1154 S. Crescent Heights Blvd.
Los Angeles, CA 90035

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Brad S. Kane (SBN 151547)

bkane@kanelaw.la

1154 S. Crescent Heights. Blvd.

Los Angeles, CA 90035

Tel: (323) 697-9840

Fax: (323) 571-3579

Attorneys for Defendants

VXN GROUP LLC; STRIKE 3 HOLDINGS, LLC;

GENERAL MEDIA SYSTEMS, LLC; and

MIKE MILLER

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

MACKENZIE ANNE THOMA, a.k.a. KENZIE ANNE, an individual and on behalf of all others similarly situated,

Plaintiff,

v.

VXN GROUP LLC, a Delaware limited liability company; STRIKE 3 HOLDINGS, LLC, a Delaware limited liability company; GENERAL MEDIA SYSTEMS, LLC, a Delaware limited liability company; MIKE MILLER, an individual; and DOES 1 to 100, inclusive,

Defendants.

Case No. _____

**DECLARATION OF ALDRICH YAP IN
SUPPORT OF DEFENDANT'S NOTICE
OF REMOVAL**

[Los Angeles County Superior Court Case No. 23STCB08761]

DECLARATION OF ALDRICH YAP

I, Aldrich Yap, declare and state as follows:

1. I am over the age of eighteen years and am fully competent to make this declaration. The facts contained herein are based on my personal knowledge and are true and correct.

2. I am a Content Manager for VXN Group, LLC (“VXN”). I have been employed in this position since the company’s inception in January, 2020.

3. In my capacity as a Content Manager, I have access to actor-related identifying information for Plaintiff Mackenzie Thoma (“Plaintiff”) and other actors who performed in VXN’s films in the State of California since the company’s inception to the present. These records are kept and maintained by VXN in the ordinary course of business. VXN is required to keep and maintain these records by law as evidence that each actor in VXN’s film is over the age of 18. I have reviewed Plaintiff’s identifying documents and those of all other professional actors engaged by VXN during this time, including government issued drivers licenses, identification cards, and passports.

4. Based on my review of Plaintiff’s identifying documents, Plaintiff is a citizen of the state of California.

5. Based on my review of VXN’s business records, from its inception to May 8, 2023, VXN engaged 384 actors, including Plaintiff (“Putative Class Members”).

6. Based on my review of the identifying documents provided by Putative Class Members, out of the 384 Putative Class Members, 116 provided identifying documents indicating California as their state of citizenship, whereas 268 provided identifying documents indicating a state other than California, or a country other than the United States as their place of citizenship.

7. Based on my review Putative Class Member’s identifying documents, other than California, Putative Class Members’ states of citizenship include: Alaska, Alabama, Arkansas, Arizona, Colorado, Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Kentucky,

1 Louisiana, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, North Carolina,
2 Nebraska, New Jersey, New Hampshire, New Mexico, Nevada, New York, Ohio, Oklahoma,
3 Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Utah, Virginia, Washington,
4 Wisconsin, and the District of Columbia.

5 8. Based on my review of the aforementioned records, other than the United States,
6 Putative Class Members' countries of citizenship include: Australia, Colombia, France,
7 Germany, Italy, Russia, Serbia, and Spain.

8 I declare under penalty of perjury under the laws of the United States that the foregoing
9 is true and correct.

10 Executed this __20__ day of June, 2023, at Los Angeles, California.

11
12 
13 _____
14 Aldrich Yap

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Los Angeles, CA 90035

PROOF OF SERVICE
CCP 1013a(3)

I am employed in the County of Los Angeles of California. I am over the age of 18 and not a party to the within action. My business address is 1154 S. Crescent Heights Blvd., Los Angeles, CA 90035.

On June 21, 2023, I served the foregoing document(s) described as:

**DECLARATION OF ALDRICH YAP IN SUPPORT OF
DEFENDANTS' NOTICE OF REMOVAL** on each interested party in this action, as follows:

BIBIYAN LAW GROUP, P.C.
David D. Bibiyan
Jeffrey D. Klein
Alexander D. Wallin
8484 Wilshire Blvd., Suite 500
Beverly Hills, CA 90211

Attorneys for Plaintiff Mackenzie Thoma


Email: david@tomorrowlaw.com
jeff@tomorrowlaw.com
alex@tomorrowlaw.com

☒ **BY USPS FIRST CLASS MAIL:** As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Santa Monica, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **BY EMAIL TO ALL PARTIES** (pursuant to California Code of Civil Procedure § 1010.6): I caused a true copy of the foregoing document(s) to be served by electronic email transmission at the time shown on each transmission, to each interested party at the email address shown above. Each transmission was reported as complete and without error.

☒ **FEDERAL** - I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on June 21, 2023, at Los Angeles, California.


Chris Cude